IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 5655 OF 2005
IN
FIRST APPEAL No. 1558 OF 2006

Jagannath S. Gaikwad **APPLICANTS**

Vs.

The New India Assurance Co. Ltd. **RESPONDENTS**

Mr. T. S. Ingale, Advocate for the Appellant.

rs. R. Bhargavan i/b R. Bhargavan & Associates, for Respondent.

CORAM : Dr. S. RADHAKRISHNAN, J.

DATE : JULY 14, 2006.

P.C.

. Heard the learned counsel for the Appellants and the Respondents. The learned counsel for the Respondent says that the entire decretal amount has already been deposited in the Motor Accident Claim Tribunal Islampur. The learned counsel for the Applicant says that Applicants have withdrawn the amount of Rs. 75,000/-, pursuant to order passed by this Court on 9th March, 2005. However, he prays that Applicants be permitted to withdraw the balance amount. Applicants are ready to withdraw the balance amount, on furnishing security to the satisfaction of the Tribunal. Out of the remaining balance amount, the applicants herein being Respondent Nos. 1 and 2

i.e. original claimants are permitted to withdraw Rs. one lakh without furnishing any security and permitted to withdraw the balance amount by furnishing security to the satisfaction of the Tribunal.

[Dr. S. RADHAKRISHNAN, J.]